



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 23389

PERMIT 16204

LICENSE 10545

### THIS IS TO CERTIFY, That

MELVIN P. FITZGERALD AND MELISSA G. FITZGERALD DBA  
REDWOOD LODGE WATER COMPANY *one*  
25115 SOQUEL ROAD, LOS GATOS, CALIFORNIA 95030

HAVE made proof as of AUGUST 13, 1974 (the date of inspection)  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
2 UNNAMED SPRINGS IN SANTA CRUZ COUNTY

tributary to AN UNNAMED STREAM THENCE WEST FORK SOQUEL CREEK THENCE SOQUEL CREEK

for the purpose of DOMESTIC USE  
under Permit 16204 of the Board and that the right to the use of this water has been perfected  
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the  
priority of this right dates from NOVEMBER 3, 1969 and that the amount of water to which  
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated  
purposes and shall not exceed EIGHT THOUSAND (8,000) GALLONS PER DAY, TO BE DIVERTED  
FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR. THE MAXIMUM AMOUNT DIVERTED UNDER  
THIS LICENSE SHALL NOT EXCEED 5.9 ACRE-Feet PER YEAR.

### THE POINTS OF DIVERSION OF SUCH WATER ARE LOCATED:

- (1) NORTH 85° EAST 80 FEET FROM W1/4 CORNER OF PROJECTED SECTION 35, T9S, R1W, MDB&M, BEING WITHIN SW1/4 OF NW1/4 OF SAID SECTION 35 AND
- (2) DUE WEST 250 FEET FROM W1/4 CORNER OF PROJECTED SECTION 35, T9S, R1W, MDB&M, BEING WITHIN SE1/4 OF NE1/4 OF SECTION 34, T9S, R1W, MDB&M.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

WITHIN SW1/4 OF NW1/4 OF PROJECTED SECTION 35, T9S, R1W, MDB&M.

THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION  
BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND  
AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY  
TO PROTECT WATER QUALITY OR TO COMPLY WITH WATER QUALITY CONTROL PLANS WHICH HAVE BEEN

*Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.*

*All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.*

*Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.*

*The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting

R 10545

1-22-76 asgd to Dennis R. & Patricia Heimer

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